

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

FILED ON:

INDEX NO.: 1:16-CV-01115-DJS

CINTHIA THEVENIN, ET. AL.

Plaintiff(s)-Petitioner(s)

-VS-

THE CITY OF TROY AND SERGEANT RANDALL FRENCH

Defendant(s)-Respondent(s)

STATE OF NEW YORK  
COUNTY OF SARATOGA}  
ss.}

I, SAMUEL MCCLOSKY being duly sworn, deposes and says that deponent is over the age of eighteen years and is not a party in this proceeding and resides in the State of New York.

On JUNE 8, 2018 at 10:00 A.M.

Deponent served a true copy of SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION bearing index number: 1:16-CV-01115-DJS and date of filing:

upon PAUL CLYNE

at address: AGENCY BUILDING 2, 19TH FLOOR, EMPIRE STATE PLAZA

city and state: ALBANY, NY 12224

MANNER OF SERVICEPersonal

By delivering to and leaving with personally} PAUL CLYNE

known to the deponent to be the same person mentioned and described in the above proceeding as the person to be served.

Suitable Age Person

By delivering and leaving with personally}

at the premises which is recipient's actual place of business/usual place of abode. Such person knowing the person to be served and associated with him/her, and after conversing with him/her, deponent believes him/her to be a suitable age and discretion.

Authorized Agent

By delivering and leaving with}

the agent for service on the person in this proceeding designated under Rule . Service having been made to such person at the place, date and time above.

Affixing to Door, Etc.

By affixing a true copy of each to the door of the actual place of business, dwelling place or usual place of abode stated above. Deponent was unable with due diligence to find the proper or authorized person to be served, or a person of suitable age and discretion at the actual place of business, dwelling place or usual place of abode stated above after having called there on the following dates and times:

Mailing

Deponent completed service by depositing a true copy of each in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service. The package was labeled "Personal &amp; Confidential" and mailed to the person stated above at address on . The envelope did not indicate on the outside that the communication was from an attorney or concerned an action against the recipient. The envelope was mailed by—first class mail—certified mail—registered mail—return receipt requested. Certified/Registered mail #

Deponent further states upon information and belief that said person so served is not in the Military service of the State of New York or the United States as the term is defined in either State or Federal statutes.

DESCRIPTION deponent describes the person actually served as:

Sex: MALE

Race/Skin Color: WHITE

Hair Color: GRAY

Approximate Age: 55 years Approximate Height: 6'0"

Approximate Weight: 160 pounds

Other:

Subscribed and sworn before me on} JUNE 8, 2018

Notary Public, State of New York  
Mark E. McClosky  
Qualified in Schenectady County  
Number 01MC6042335  
Expires: May 22, 2022  
NLS #: 173761  
affidavit #: 18-5234FitzGerald Morris Baker Firth, P.C.  
16 Pearl Street  
P.O. Box 2017  
Glens Falls, New York 12801  
(518) 745-1400

FIRM FILE #

SAMUEL MCCLOSKY  
Deponent